

JAN 17 2006**Yee &
Associates, P.C.**4100 Alpha Road
Suite 1100
Dallas, Texas 75244Main No. (972) 385-8777
Facsimile (972) 385-7766**Facsimile Cover Sheet**

To: Commissioner for Patents for Examiner Duc T. Doan Group Art Unit 2188	Facsimile No.: 571/273-8300
From: Kim Gault for Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 17
Message: Transmitted herewith: <ul style="list-style-type: none">• Transmittal Document; and• Response to Office Action.	
Re: Application No. 10/674,976 Attorney Docket No: AUS920030642US1	
Date: Tuesday, January 17, 2006	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION BY
FAXING A CONFIRMATION TO 972-385-7766.**

JAN 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McBrearty

Serial No.: 10/674,976

Filed: September 30, 2003

For: Method for Volume Manager to
Have Configurable Device Type and
Subtype for Application Use

§
§
§
§
§
§

Group Art Unit: 2188

Examiner: Doan, Duc T.

Attorney Docket No.: AUS920030642US1

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

<p><u>Certificate of Transmission Under 37 C.F.R. § 1.8(a)</u> I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (571) 273-8300 on January 17, 2006.</p> <p>By: <u>Kim Gault</u> Kim Gault</p>
--

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Response to Office Action

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Duke W. Yee
Duke W. Yee
Registration No. 34,285
YEE & ASSOCIATES, P.C.
P.O. Box 802333
Dallas, Texas 75380
(972) 385-8777
ATTORNEY FOR APPLICANT

RECEIVED
CENTRAL FAX CENTER

JAN 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **McBrearty**Serial No.: **10/674,976**Filed: **September 30, 2003**For: **Method for Volume Manager
to Have Configurable Device Type
and Subtype for Application Use**§
§
§
§
§
§Group Art Unit: **2188**Examiner: **Doan, Duc T.**Attorney Docket No.: **AUS920030642US1**Certificate of Transmission Under 37 C.F.R. § 1.8(a)I hereby certify this correspondence is being transmitted via
facsimile to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, facsimile number (571) 273-8300,
on January 17, 2006.

By:


Kim Gault**RESPONSE TO OFFICE ACTION**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated October 17, 2005, please amend the above-identified application as follows:

Listing of Claims begins on **page 2** of this paper.

Remarks begin on **page 7** of this paper.